

**REGULAR MEETING of the Burrillville Town Council held Wednesday, February 13, 2008 at 7:00 P.M. in the Town Council Chambers, 105 Harrisville Main St., Harrisville for and within the Town of Burrillville.**

**PRESENT: Council President Nancy F. Binns, Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr. and Norman C. Mainville**

**MEMBERS ABSENT: Councilor Margaret L. Dudley was excused due to vacation. Councilor Cynthia L. Roe was excused due to family illness.**

**1. Council President Nancy F. Binns led those present in pledging allegiance to the flag.**

**2. VOTED to accept the minutes of the regular meeting held January 23, 2008; and dispense with the reading of said minutes.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**3. Public Comment:**

**Michele Badessa of Glendale asked whether the Town Council intended to maintain the tax rate in light of residents losing their homes to foreclosure.**

#### **4. General Good and Welfare of the Town of Burrillville**

**Councilor John M. Karmozyn, Jr. mentioned the Burrillville Schools Alumni Education Foundation Dinner Dance and Silent Auction held on February 8, 2008 and acknowledged Nancy Binns as guest speaker.**

**Council President Nancy F. Binns commended the Department of Public Works on the tremendous job they have done on the roads in recent weeks.**

#### **5. Petitions: None**

#### **6. Special Business:**

**08-032 VOTED to open a proclamation commending the Chief Gus Eddy and Chief Engineer Chad Tessier of Nasonville Fire District; Deputy Chief Joe Marcello & Fire Fighter Scott Phillips of Oakland/Mapleville Fire District; Lieutenant Mike Peck of Pascoag Fire District; and EMT-C Don Pariseau of Harrisville Fire District for their life-saving actions on December 14, 2007.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**Discussion: Councilor Norman C. Mainville discussed the emergency call that resulted in the successful rescue of Gerry Kimner, spoke of the history, training, responsibilities, and expertise of Burrillville Fire Fighters. He commended and thanked the fire professions for their service and dedication.**

**Council President Nancy F. Binns presented the proclamations.**

**08-033 VOTED to open a proclamation commending Dr. Antonio F. Machado and congratulating him on his retirement.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**Dr. Machaco's presence was acknowledged and Council President Nancy F. Binns read the following proclamation:**

**Burrillville Town Council**

**Proclamation**

**WHEREAS, Dr. Antonio F. Machado was born in Havana, Cuba on June 5, 1924 where he spent his childhood and where he went on to graduate from the University of Havana Medical School in 1951; and**

**WHEREAS, After graduation, Dr. Machado came to the United State where he interned at Mercer Hospital and St. Francis Hospital in Trenton, New Jersey, before moving to Rhode Island in 1954 to continue his internship at Newport Hospital in Newport, Rhode Island. In 1955, Dr. Machado joined the staff at Zambarano Hospital in Pascoag, Rhode Island and he has since made Burrillville his home; and**

**WHEREAS, Dr. Machado moved to South Main Street in Pascoag where, in 1965 he established his private practice and where he and his wife Jean raised their daughter Victoria and son Charles. As his practice continued to grow, so has his family which now includes grandchildren Benjamin, Julia, Alex and Eric. Dr. Machado has become a steady fixture to many residents of the Town of Burrillville, and his decision to retire will be felt by his many patients in Town.**

**NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville on this 13th day of February 2008 do hereby honor and commend Dr. Antonio F. Machado for his many years of**

**commitment and service to the Town of Burrillville and wish him all the best in his retirement.**

**08-034 VOTED to open the correspondence from Lynn Clark, Relay For Life Event Chair, regarding the Paint the State Purple campaign scheduled for the week of February 25-29, 2008.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**Discussion: Lynn Clark of Pascoag, Relay for Life Event Chair, addressed the Town Council, explaining the Paint the State Purple campaign sponsored by the American Cancer Society in order to raise awareness. Ms. Clark spoke of the Relay for Life event, planned for June 20-21, 2008 at the Ponaganset High School Track.**

**08-035 VOTED to grant a special event victualing license to Nasonville Volunteer Fire Department for the Spring and Fall Chowder and Clam Cake dinners to be held at 2577 Victory Highway (Map 114, Lot 32) on property owned by the Nasonville Fire District.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John**

**M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**7. Unfinished Business:**

**08-030 VOTED to open the correspondence from Louise R. Phaneuf, Town Clerk, regarding recommendations for appointments to the advisory Public Safety Commission.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**VOTED to approve the names that were submitted, as follows:**

**Fire Chief Mark A. St. Pierre from Harrisville Fire District, Fire Chief Augustine Eddy from Nasonville Fire District, Fire Chief Joseph Bertholic from Oakland/Mapleville Fire District, Fire Chief John Defusco from Pascoag Fire District, Tom Partridge, Commissioner of Pascoag Utility District and Chief Robert Bishop of Wallum Lake Fire**

**Department; and Assistant Fire Chief Michael E. Gingell as an alternate from the Harrisville Fire District.**

**Motion by Councilor Kevin M. Blais. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present.**

**Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

## **8. New Business:**

**08-036 VOTED to open the correspondence from Paula McKeon of Harrisville regarding her request that the Town compensate her family for the death of her dog subsequent to his being quarantined.**

**Motion by Councilor Kevin M. Blais. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present.**

**Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**Discussion: Paula McKeon of Harrisville requested that her family be compensated for the death of her dog subsequent to his being quarantined. There was discussion of: empathy at the loss of a pet;**

the quarantine requirements regulated by the State Rabies Control Board; vaccination and licensing requirements; the role of the animal control division; whether the return of the fine was appropriate; inspections of the animal control facility; and the status of the town ordinance.

**VOTED** that the request be denied.

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The motion carried, four in favor, one opposed, two excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Kevin M. Blais voted in opposition. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**08-037 VOTED to refer to the Ordinance Subcommittee for recommendation the correspondence from Council President Nancy F. Binns and Council Vice President Wallace F. Lees regarding their request that the Council consider whether to increase the dollar amount of tax credits provided by ordinance.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M.**



**Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**08-038 VOTED to refer to the ordinance subcommittee the correspondence from James Langlois, Chairman of the Redevelopment Agency of Burrillville and Jeff Partington, Chairman of the Planning Board, regarding: A) naming the roadway at the Jesse Smith Memorial Library complex; B) consideration of acceptance of that roadway; C) consideration of establishing a 10 mph speed limit for that roadway; and D) consideration of potential issues associated with skateboarding, bicycling and similar activities within the Stillwater Redevelopment District; with a request that the subcommittee consider naming the roadway in memory of Carlton Brown.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Norman C. Mainville. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**08-039 VOTED to open the correspondence from Jeff Partington, Chairman of the Planning Board, regarding a Planning Board resolution related to Planning Board participation in site location for a proposed senior center.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Norman C. Mainville. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**VOTED to request a recommendation from the Planning Board to have liaisons appointed to the senior advisory committee to include both the senior center and the police station.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**Note: Councilor Wallace F. Lees recused from discussion of item #08-040.**

**08-040 VOTED to open the correspondence from Louise R. Phaneuf, Town Clerk, regarding her request that the Town Council consider and act on the next phase of establishing a Dam Management District for the Pascoag Reservoir Dam.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The motion carried, four in favor, one recusal, two excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Wallace F. Lees recused. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**Discussion: Michael C. Wood, Town Manager, explained the purpose of the proposed Dam Management District and earlier Council actions in support of the proposal. Timothy F. Kane, Town Solicitor, explained the purpose of the resolution under consideration. There was discussion of the town's liability, establishment of fees, current and potential ownership of the dam, and the intended effect of a dam management district and the proposed resolution. Kevin Menard of the Upper Dam Association addressed the Town Council in support of the resolution.**

**MOTION to adopt the following resolution:**

**Burrillville Town Council**

**Resolution Requesting Legislation:**

**Amendments to §45-62. – Dam Management Districts.-**

**WHEREAS, at the Regular Meeting of the Burrillville Town Council held on Wednesday, February 13, 2008 at 7:00 P.M. in the Council Chamber, Town Building, and at which time a quorum was present**

and acting throughout, the Town Council supported amendments to Title 45, Chapter 62, Dam Management Districts that would 1) allow the Towns of Burrillville and Glocester to exempt from taxation certain property owned by a dam management district and 2) provide for the collection of dam management district fees.

**NOW THEREFORE BE IT RESOLVED** we, the Town Council of the Town of Burrillville respectfully request legislation that would amend §45-62. – Dam Management Districts, by adding the following:

**(1) The Towns of Burrillville and Glocester may by ordinance exempt from taxation real and personal property owned by a Dam Management District created pursuant to this section, said exemption to be limited to property that consists of the lake bed of the Pascoag Reservoir, also known as Echo Lake, and property on which any dam, spillway and any appurtenant structures may be located as the same relate to the Pascoag Reservoir, also known as Echo Lake.**

**(2) With respect to the Towns of Burrillville and Glocester, collection of Dam Management District fees shall be in the same manner as provided by law for the collection of taxes by municipalities and the collector of fees for said Management District shall, for the purposes of collecting fees assessed by said Management District, have the same powers and authority as are by law conferred on collection of taxes for towns in the state.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor**

**John M. Karmozyn, Jr. The motion failed, three in favor, one opposed, one recusal, two excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors John M. Karmozyn Jr. and Norman C. Mainville. Councilor Wallace F. Lees recused. Councilor Kevin M. Blais voted in opposition. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**Note: There was a recess from 8:00 to 8:10 P.M.**

## **9. Pending and proposed legislation:**

### **A) Consider and act on the following proposals:**

**08-041 VOTED to open a resolution relative to implementation of §46-9, Inspection of Dams and reservoirs:**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**VOTED to adopt a resolution relative to implementation of §46-9, Inspection of Dams and reservoirs, as follows:**

**Town Council of the Town of Burrillville**

**Resolution relative to implementation of  
§46-19 Inspection of Dams and Reservoirs.**

**WHEREAS, RIGL §46-19-9 Emergency action plans. requires communities to prepare and submit by July 1, 2008 an emergency action plan (EAP) for each significant or high hazard dam located within the community; and**

**WHEREAS, the communities are required to prepare and fund EAPs for all dams located in the town, regardless of ownership, public or private; and**

**WHEREAS, Sometime after EAP's are submitted, cities and towns will also be required to perform safety inspections on all qualifying dams under public ownership; and**

**WHEREAS, while this program has its merits, the requirements may impose significant financial hardships on the Town of Burrillville, and many other communities throughout the state.**

**NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville respectfully request a permanent stay of the program, particularly the construction requirements unless the safety reports or EAP's determine a significant and imminent risk to public safety.**

**BE IT FURTHER RESOLVED that the town clerk is hereby instructed to submit a copy of this resolution to various City and Town Councils of the State of Rhode Island seeking their consideration and support**

of this proposal.

**PASSED AS A RESOLUTION of the Burrillville Town Council this 13th day of February 2008.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**08-042 VOTED to open a proposed resolution supporting amendments to §9-31-3. Limitation of damages – cities, towns and fire districts (tort cap legislation).**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**VOTED to approve adoption of a resolution supporting amendments to §9-31-3. Limitations of damages – cities, towns and fire districts (tort cap legislation), as follows:**

## **Burrillville Town Council Resolution**

### **Supporting Legislation - Amendments to §9-31-3**

#### **Limitation of damages – Cities, towns and fire districts**

**WHEREAS, at the Regular Meeting of the Burrillville Town Council held on Wednesday, February 13, 2008 at 7:00 P.M. in the Council Chamber, Town Building, and at which time a quorum was present and acting throughout, the Town Council discussed proposed amendments to R.I. General Laws §9-31-3. Limitation of damages - Cities, towns, and fire districts.**

**NOW THEREFOR BE IT RESOLVED that we, the Burrillville Town Council, respectfully requests that the General Assembly consider an act related to Governmental Tort Liability, as follows:**

**9-31-3. Limitation of damages - Cities, towns, and fire districts. In any tort action against any city or town or any fire district, and/or any employees or officials of said entities while performing any act or omission under the scope of such employment, any damages recovered therein shall not exceed the sum of one hundred thousand dollars (\$100,000); two-hundred and fifty thousand dollars (\$250,000); provided, however, that in all instances in which the city or town or fire district and/or any employee or official of said entities was engaged in a proprietary function in the commission of the tort, the limitation of damages set forth in this section shall not apply; and provided further, that any employee or official of said entities shall**



**not be sued in his or her personal or individual capacity except upon an allegation of criminal conduct.**

**This act shall take effect upon passage.**

**BE IT FURTHER RESOLVED that the town clerk is hereby instructed to submit a copy of this resolution to various City and Town Councils of the State of Rhode Island seeking their consideration and support of this proposal.**

**ADOPTED this 13th day of February 2008**

**Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**B) Correspondence from Councilor Margaret L. Dudley regarding consideration and action on proposed legislation relative to Education:**

**08-043 VOTED to open a proposed resolution supporting House Bill 2008 – H 7042, an act relating to Taxation - §16-21.1-2, School Bus Districts Established.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**VOTED to adopt a resolution in support of House Bill 2008 – H 7042, an act relating to Taxation - §16-21.1-2, School Bud Districts Established, as follows:**

**Town Council of the Town of Burrillville**

**Resolution Supporting House Bill 2008 – H 7042**

**An Act Relating to Taxation - §16-21.1-2 School bus districts established**

**At a Regular Meeting of the Burrillville Town Council held on Wednesday, February 13, 2008 at 7:00 P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main Street, Harrisville, RI 02830, and at which time a quorum was present and acting throughout, the Town Council of the Town of Burrillville voted to support House Bill 2008 – H 7042, An Act Relating to Taxation, which would provide that the cities and towns would be reimbursed by the state for transportation costs associated with pupils attending certain programs outside of the school district.**

**BE IT FURTHER RESOLVED** that the town clerk is hereby instructed to submit a copy of this resolution to various City and Town Councils of the State of Rhode Island seeking their consideration and support of this proposal.

**PASSED AS A RESOLUTION** of the Burrillville Town Council this 13th day of February 2008.

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**08-044 VOTED to support a resolution supporting House Bill 2008 – H 7043, an act relating to Education - §16-7-20.8, Extraordinary Services Reimbursement, as follows:**

**Town Council of the Town of Burrillville**

**Resolution Supporting House Bill 2008 – H 7043**

**An Act Relating to Education - §16-7-20.8 Extraordinary services reimbursement**

**At a Regular Meeting of the Burrillville Town Council held on**

**Wednesday, February 13, 2008 at 7:00 P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main Street, Harrisville, RI 02830, and at which time a quorum was present and acting throughout, the Town Council of the Town of Burrillville voted to support House Bill 2008 – H 7043, An Act Relating to Education, which would provide for reimbursement of extraordinary services to school districts.**

**BE IT FURTHER RESOLVED that the town clerk is hereby instructed to submit a copy of this resolution to various City and Town Councils of the State of Rhode Island seeking their consideration and support of this proposal.**

**PASSED AS A RESOLUTION of the Burrillville Town Council this 13th day of February 2008.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**08-045 VOTED to support a resolution supporting House Bill 2008 – H 7160, an act relating to Education – Residence of Children for School Purposes, as follows:**

**Town Council of the Town of Burrillville**

**Resolution Supporting House Bill 2008 – H 7160**

**An Act Relating to Education – Residence of Children for School Purposes**

**At a Regular Meeting of the Burrillville Town Council held on Wednesday, February 13, 2008 at 7:00 P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main Street, Harrisville, RI 02830, and at which time a quorum was present and acting throughout, the Town Council of the Town of Burrillville voted to support House Bill 2008 – H 7160, An Act Relating to Education – Residence of Children for School Purposes, which would increase group home reimbursements to twenty-five thousand dollars (\$25,000) per bed.**

**BE IT FURTHER RESOLVED that the town clerk is hereby instructed to submit a copy of this resolution to various City and Town Councils of the State of Rhode Island seeking their consideration and support of this proposal.**

**PASSED AS A RESOLUTION of the Burrillville Town Council this 13th day of February 2008.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the five members**

**present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**08-046 VOTED to support a resolution supporting House Bill 2008 – H 7261, an act relating to Education - §16-21.1-2, School Bus Districts Established, as follows:**

**Town Council of the Town of Burrillville**

**Resolution Supporting House Bill 2008 – H 7261**

**An Act Relating to Education - §16-21.1-2 School bus districts established**

**At a Regular Meeting of the Burrillville Town Council held on Wednesday, February 13, 2008 at 7:00 P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main Street, Harrisville, RI 02830, and at which time a quorum was present and acting throughout, the Town Council of the Town of Burrillville voted to support House Bill 2008 – H 7261, An Act Relating to Education – Transportation of School Pupils beyond City Limits, which would require the state to reimburse local school committees for the entire cost of transportation of pupils to another city or town when the transportation is required by mandate. This act would also require the director of the department of education to determine the appropriate formula reimbursement.**

**BE IT FURTHER RESOLVED** that the town clerk is hereby instructed to submit a copy of this resolution to various City and Town Councils of the State of Rhode Island seeking their consideration and support of this proposal.

**PASSED AS A RESOLUTION** of the Burrillville Town Council this 13th day of February 2008.

**Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**08-047 VOTED to adopt a resolution opposing Senate Bill 2008 – S 2102; an act relating to Education – Eligibility for Attendance, as follows:**

**Town Council of the Town of Burrillville**

**Resolution Opposing Senate Bill 2008 – S 2102**

**An Act Relating to Education – Eligibility for Attendance**

**At a Regular Meeting of the Burrillville Town Council held on Wednesday, February 13, 2008 at 7:00 P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main Street, Harrisville, RI**

**02830, and at which time a quorum was present and acting throughout, the Town Council of the Town of Burrillville voted to oppose Senate Bill 2008 – S 2102, An Act Relating to Education – Eligibility for Attendance, which would authorize school departments to admit children into their kindergarten programs even though those children have not reached age five (5) by September 1 of the school year. Such admissions would be made in accordance with guidelines promulgated by the department of elementary and secondary education.**

**BE IT FURTHER RESOLVED that the town clerk is hereby instructed to submit a copy of this resolution to various City and Town Councils of the State of Rhode Island seeking their consideration and support of this proposal.**

**PASSED AS A RESOLUTION of the Burrillville Town Council this 13th day of February 2008.**

**Motion by Councilor Kevin M. Blais. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**08-048 VOTED to support a resolution opposing Senate Bill 2008 – S**



**2103, an act relating to Education – Athletic Directors, as follows:**

**Town Council of the Town of Burrillville**

**Resolution Opposing Senate Bill 2008 – S 2103**

**An Act Relating to Education – Athletic Directors**

**At a Regular Meeting of the Burrillville Town Council held on Wednesday, February 13, 2008 at 7:00 P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main Street, Harrisville, RI 02830, and at which time a quorum was present and acting throughout, the Town Council of the Town of Burrillville voted to oppose Senate Bill 2008 – S 2103, An Act Relating to Education – Athletic Directors, which would require that all athletic directors hold the position full-time as athletic administrators.**

**BE IT FURTHER RESOLVED that the town clerk is hereby instructed to submit a copy of this resolution to various City and Town Councils of the State of Rhode Island seeking their consideration and support of this proposal.**

**PASSED AS A RESOLUTION of the Burrillville Town Council this 13th day of February 2008.**

**Motion by Councilor Kevin M. Blais. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present.**

**Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn**

**Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**08-049 VOTED to support a resolution supporting Senate Bill 2008 – S 2107, an act relating to Education - §16-7-20.8, Extraordinary Services Reimbursement, as follows:**

**Town Council of the Town of Burrillville**

**Resolution Supporting Senate Bill 2008 – S 2107**

**An Act Relating to Education –**

**§16-7-20.8. Extraordinary services reimbursement.**

**At a Regular Meeting of the Burrillville Town Council held on Wednesday, February 13, 2008 at 7:00 P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main Street, Harrisville, RI 02830, and at which time a quorum was present and acting throughout, the Town Council of the Town of Burrillville voted to support Senate Bill 2008 – S 2107, An Act Relating to Education, which would provide for reimbursement of extraordinary services to school districts.**

**BE IT FURTHER RESOLVED that the town clerk is hereby instructed to submit a copy of this resolution to various City and Town Councils of the State of Rhode Island seeking their consideration and support of this proposal.**

**PASSED AS A RESOLUTION of the Burrillville Town Council this 13th day of February 2008.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**Discussion: Councilor John M. Karmozyn, Jr. noted that the preceding seven resolutions had been recommended by Steven Welford, Superintendent of Schools and that the School Committee had not yet reviewed or supported these proposals.**

**Councilor John M. Karmozyn, Jr. asked whether Mr. Welford intended to recommend a proposal to the legislature relative to the Northern Rhode Island Collaborative surplus. Mr. Welford indicated that it was not his intent to recommend legislation but that he would request communication to the School Committee from Benjamin Scungio, Esq., attorney for the School Committee and the Collaborative. Councilor Karmozyn distributed and reviewed a Providence Journal article related to the surplus.**

**C) House Resolution 2008 – H 7063:**

**08-050 VOTED to support a House Resolution declaring March 29, 2008 as Lights Out America Day.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**D) Consider and act on other proposed and pending legislation: None**

**08-051 Correspondence from Norman C. Mainville, Chairman, Screening Subcommittee, regarding the Committee's recommendations.**

**VOTED to reappoint Charlotte Gabrielson as an alternate to the Personnel Board for a one-year term to expire January 31, 2009.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**VOTED to appoint Debra Stockwell as an alternate to the Recreation Commission for a one-year term to expire October 31, 2008.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**VOTED that the Town Council vacate the seat held by Richard Cardin on the Juvenile Hearing Board as he has moved.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**VOTED to appoint Jacqueline Zahn to the Juvenile Hearing Board to complete the unexpired term of Richard Cardin; term to expire January 31, 2009.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members**

**present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**VOTED to appoint Roger Remillard to the Juvenile Hearing Board for a term to expire January 31, 2011.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**08-052 VOTED to refer to the Screening Subcommittee the following applications for reappointment:**

**Kevin Cleary, P.E. to the Conservation Commission;  
Richard Lemoie to the Juvenile Hearing Board  
Valerie Ann Leduc to the Personnel Board  
Leo Felice and Richard Lemek to the Planning Board;  
Jeffrey J. Barr to the Redevelopment Agency;  
Raymond Cloutier and John Patriarca to the Zoning Board.**

**Motion by Councilor Norman C. Mainville . Seconded by Councilor**

**Wallace F. Lees. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**08-053 VOTED to refer to the Screening Subcommittee applications from Juliette Lopez and Anne M. Nault for appointment to the Juvenile Hearing Board.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**08-054 VOTED to open the correspondence from Michael C. Wood, Town Manager, regarding adoption of the proposed classification plan.**

**Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L.**

**Dudley and Cynthia L. Roe were excused.**

**Note: Councilor Norman C. Mainville recused from action on item #08-054.**

**VOTED to let Mr. Moran (Chairman of the Personnel Board) make his presentation.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Kevin M. Blais. The motion carried, four in favor, one recusal, two excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, and John M. Karmozyn Jr. Councilor Norman C. Mainville recused. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**Discussion: Michael C. Wood, Town Manager, reviewed the Charter requirement for a classification plan, the current plan, and discussed proposed changes, including incorporation of the library employees. James H. Moran, Chairman of the Personnel Board, explained the process of establishing proposed base wages and discussed how the plan had been implemented. There was discussion of the incentive opportunity, previous elimination of longevity payments for classified employees, salary comparisons among communities, and base wage as the maximum for each position.**

**Judy Boucher of Harrisville asked whether there were plans for a**



**position to maintain the library building. Michael C. Wood, Town Manager, indicated that, while maintenance staff for the library would not be included in the classification plan, a proposal for maintenance services would be included in the budget.**

**Ms. Boucher asked the Town Council and Manager to consider public input in determining incentive opportunities. The proposal was discussed.**

**The incentive program, i.e. objections, alternatives, implementation, and funding were discussed. The employee evaluation process was reviewed. Various forms of government and stability of the workforce were discussed.**

**MOTION that (the Town Council) adopt the Classification Plan, with the exception of anything to do with the Finance Department.**

**Motion by Councilor Wallace F. Lees.**

**Councilor Norman C. Mainville noted that he was recusing from action on the item.**

**Councilor John M. Karmozyn, Jr. noted that he would not recuse.**

**There was no second to the motion.**

**Councilor Wallace F. Lees withdrew the motion.**

**10. Town Clerk/Communication:**

**08-055 Correspondence from Governor Donald L. Carcieri to Richard A. Bernardo, P.E., Director of Public Works and Engineering Services, regarding his appointment of Mr. Bernardo as Chairman of the Division of Design Professionals.**

**VOTED to receive the correspondence, and to extend congratulations to Mr. Bernardo, who does represent the Town very well.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**08-056 VOTED to receive and file the correspondence from Kathleen M. Silvia, City Clerk, Newport, regarding the Newport City Council's request for support of House Bill 2008 – H 7161, relating to state affairs and government, which would require voter approval by the host community and the electors of the state if expansion of video lottery games is sought between the hours of 1:00 A.M. and 8:00 A.M.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Kevin M. Blais. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M.**

**Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**08-057 VOTED to approve the Community Development Block Grant Application, program guidelines, and 2008-2009 proposed schedule.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**08-058 VOTED to receive and file the correspondence from DEM to Kevin and Kathy Brand, regarding Permit to Alter Freshwater Wetlands, Application #07-0254, in reference to the location near the intersection of Dano Road and Mount Pleasant Road (Map 46, Lot 26).**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Kevin M. Blais. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**11. Additional New Business: None**

**12. VOTED to adjourn at 9:20 P.M.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilors Margaret L. Dudley and Cynthia L. Roe were excused.**

**Louise R. Phaneuf, Town Clerk**